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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/867,082

05/29/2001

Kazuhiro Okamoto

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24978

7590

09/07/2004

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EXAMINER

QI, ZHI QIANG

ART UNIT

PAPER NUMBER

2871

DATE MAILED: 09/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/867,082

Applicant(s)

OKAMOTO ET AL.

Examiner

Mike Qi

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 2, 2004 has been entered.

Claims 1-5 have been canceled in the response to restriction requirement and amendment of April 7, 2003, and called attorney Mr. Patrick G. Burns confirmed on Aug.25, 2004; and claims 11-12 have been added.

Claim Objections

1. Claim 11 is objected to because of the following informalities: recitation ". . . the circuit board being attached to a front side of the frame." That is contradicted with the specification described in the paragraph 0060 and in the Figs.14-15 which is "a circuit board (62) . . .is attached to the back side of the frame (58). . .".

Therefore, the circuit board should be attached to a back side of the frame. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Art Unit: 2871

3. Claims 7-8 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 7-8 and 10, recitation “. . . the mechanism being capable (or capable) of changing an angle of a display surface of the liquid crystal panel . . .” is indefinite. Because “being capable” or “capable” does not specifically indicate the function of the mechanism, it only indicates a mechanism that can or may change the angle of the panel, but it does not have to change the angle of the panel.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Art Unit: 2871

5. Claims 6 and 10-12 are rejected under 35 U.S.C. 102(e) as being anticipated by US 6,104,451 (Matsuoka et al).

Claim 6, Matsuoka discloses (col.8, line 24 – col.9, line 15; col.12, lines 34- col.13, line 12; Figs.1-4) that a liquid crystal display device comprising:

- a liquid crystal panel (120);
- a light source unit (fluorescent lamp 150);
- a housing (50);
- a frame (such as top frame 110, middle frame 130, bottom frame 140, and also separated from the housing) in the housing (50) for supporting the liquid crystal panel (120) and the light source unit (150) as a liquid crystal display unit (100);
- a mechanism (400 and 210) attached to the frame (such as attached to the second enclosure 220 that supports the liquid crystal unit '100', and also is a inside frame supporting liquid crystal panel and light source; see col.4, lines 55-67; Fig.2), for changing an angle of a display surface of the liquid crystal panel (tilted in a range from 5 forward to 20 backward which means the changing angles; see col.8, lines 41-43).

Claim 10, Matsuoka discloses (col.8, lines 24- 43; Figs.1-4) that a mechanism (400 and 210) being capable of changing the angle of a display surface of the liquid crystal panel is a self-standing device having a tilt mechanism (tilted in a range from 5 forward to 20 backward which means the changing angles; see col.8, lines 41-43).

Art Unit: 2871

Claims 11-12, Matsuoka discloses (col.4, lines 5-8; col.6, lines 36-52; Figs.2 and 7-8) that a board (20) for driving and controlling the liquid crystal unit (100), i.e., a circuit board for driving the liquid crystal panel, and the circuit board (20) being attached to a back side of the frame (such as the second enclosure '220') (see Fig.2); and a shield panel (231) covers the circuit board (20), i.e., a shield cover covers the circuit board.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuoka as applied to claims 6, 10-12 above, and further in view of JP 7-56516.

Claim 7, lacking limitation is such that the mechanism is attached to a back surface section of the liquid crystal display unit.

However, JP 7-56516 discloses (abstract and Fig.3) that the tilt mechanism (13) is provided on (attached to) the back surface side of the display panel (22), and such mechanism facilitates the adjustment of an angle of elevation in a self-standing display device.

Therefore, it would have been obvious to those skilled in the art at the time the invention was made to arrange a liquid crystal display device having a mechanism as

Art Unit: 2871

claimed in claim 7 to facilitate the adjustment of an angle of elevation in a self-standing display device.

Claim 9, Matsuoka discloses (Fig.1) that a portion of the back surface section of the liquid crystal display unit (100) is substantially parallel to the display surface (such as the display screen '101') of the liquid crystal display unit (100).

8. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuoka as applied to claims 6 and 10-12 above, and further in view of US 6,216,989 (Shioya et al).

Claim 8, lacking limitation is such that the frame has a screw hole for attaching the mechanism.

However, Shioya discloses (col.9, line 53 - col.11, line 49; Figs 2-5) that using tilting member (7) (display holder, i.e., a frame to hold the display unit) having screw hole (7c) for attaching the tilt mechanism (10). Shioya indicates (col.11, lines 41-49) that the display unit can be easily mounted on and detached from the support structure.

Therefore, it would have been obvious to those skilled in the art at the time the invention was made to use screw hole to attach a frame with the mechanism as claimed in claim 8 for achieving the display unit being easily mounted on and detached from the support structure.

Response to Arguments

9. Applicant's arguments with respect to claims 6-12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mike Qi whose telephone number is (571) 272-2299. The examiner can normally be reached on M-T 8:00 am-5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on (571) 272-2293. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mike Qi
August 25, 2004


TARIFUR R. CHOWDHURY
PRIMARY EXAMINER